

AN ORDINANCE 2006 - 01 - 12 - 63

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 7, Block 1, NCB 10017 and Lot 31, Lot 32, and Lot 33, Block C, NCB 8651 from "R-4" Residential Single-Family District to "O-1" Office District.

**SECTION 2.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**SECTION 3.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 4.** This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective January 22, 2006.

**PASSED AND APPROVED** this 12<sup>th</sup> day of January, 2006.

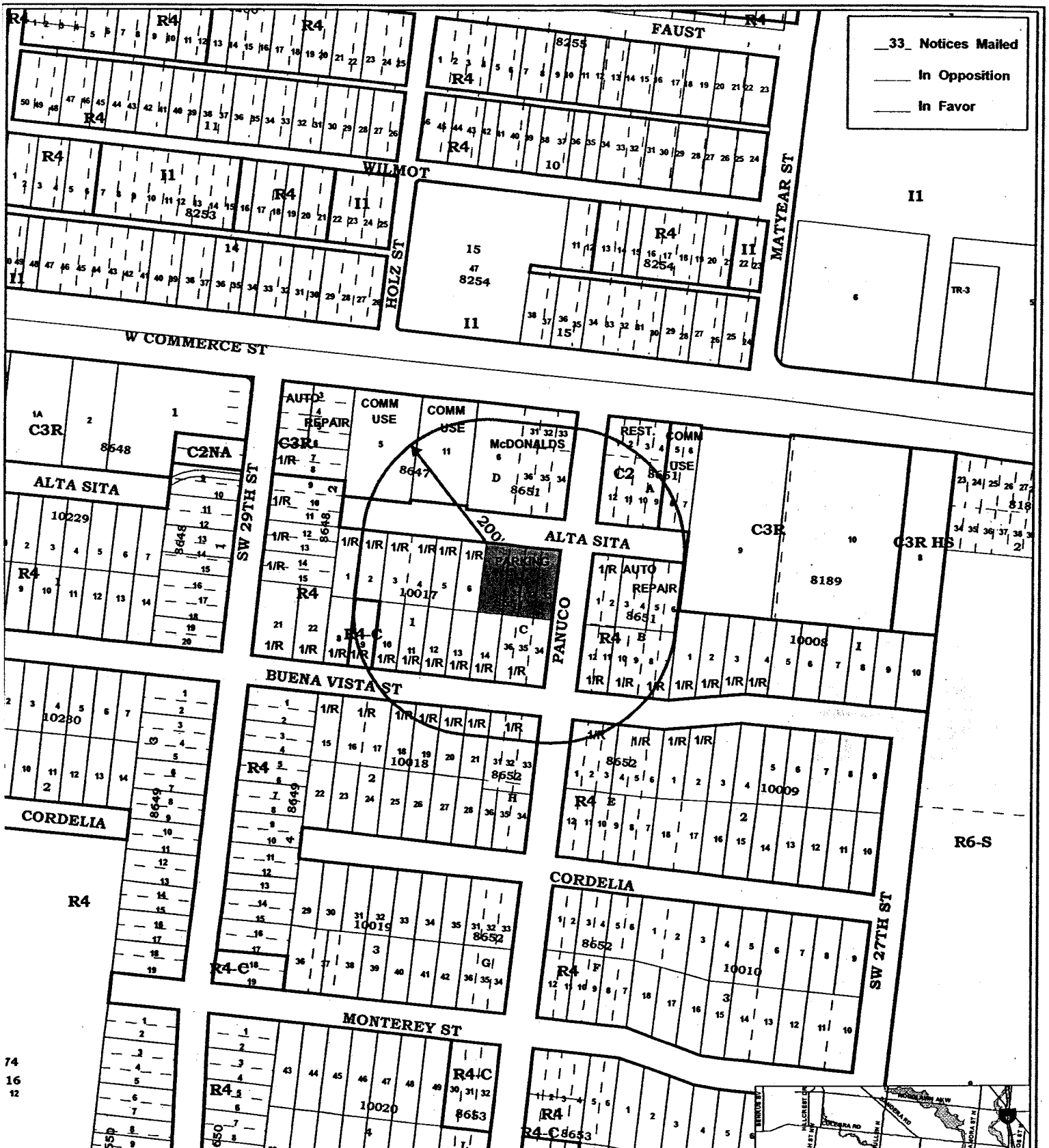
  
M A Y O R

**PHIL HARDBERGER**

**ATTEST:**   
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney



# ZONING CASE: Z2005-266

City Council District No. 5  
 Requested Zoning Change  
 From "R-4" To "O-1"

Date: January 12, 2006

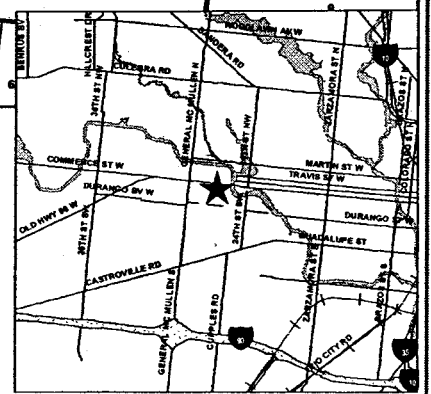
Scale: 1" = 200'

Subject Property

200' Notification



C:\Dec\_6\_2005



# CASE NO: Z2005266

## Staff and Zoning Commission Recommendation - City Council

---

**Date:** January 12, 2006

**Zoning Commission Meeting Date:** December 06, 2005

**Council District:** 5

**Ferguson Map:** 615 D4

**Applicant:**

Stagg Restaurants Partnership

**Owner:**

Franchise Realty Interstate Corporation

**Zoning Request:** From "R-4" Residential Single-Family District to "O-1" Office District  
Lot 7, Block 1, NCB 10017 and Lots 31 through 33, Block C, NCB 8651

**Property Location:** 402 Alta Sita Street

The Southwest Corner of Alta Sita Street and Panuco Street

**Proposal:** Parking lot for adjacent restaurant

**Neighborhood Association:** Las Palmas Neighborhood Association

**Neighborhood Plan:** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval

The subject property is currently operating as an overflow parking lot for the neighboring restaurant. The properties to the north are established commercial developments. The properties to the west, south and east are single-family residential homes.

The parking lot has been in operation for an extended period of time. The property was annexed in 1944 and was previously zoned "R-7" Small Lot Residential District and later converted "R-4" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC). The parking lot does not conform to the existing zoning district. The restaurant on the property to the north would not meet the parking standards without the use of the overflow parking lot.

The owner wishes to remodel the existing restaurant and parking facility. The "O-1" Office District would be more appropriate at this location because the district is intended to serve as a buffer between residential areas and more intense uses. The "O-1" district does not permit a broad range of uses like other commercial districts. Furthermore, there are strict guidelines concerning the potential development permitted in the "O-1" district.

**Zoning Commission Recommendation:**

Approval

**CASE MANAGER :** Robin Stover 207-7945

**VOTE**

**FOR** 9

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**Z2005266**

**ZONING CASE NO. Z2005266** – December 6, 2005

**Applicant:** Stagg Restaurants Partnership

**Zoning Request:** “R-4” Residential Single-Family District to “C-3 R” Restrictive Commercial District.

George McClure, 8507 Speedway, representing the McDonald’s Corporation, stated that the proposed use for the property is for a parking lot for the adjacent restaurant. He further stated that they agree with staff’s recommendation for “O-1”. He stated that they have been using the property for overflow parking and want to bring the property into conformance with its use.

Staff stated there were 33 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

**COMMISSION ACTION**

The motion was made by Commissioner Rodriguez and seconded by Commissioner Sherrill to recommend approval of “O-1” Office District for a parking lot.

1. Property is located on Lot 7, Block 1, NCB 10017 and Lots 31 through 33, Block C, NCB 8651 at 402 Alta Sita Street.
2. There were 33 notices mailed, 2 returned in opposition and 0 in favor.
3. Staff recommends approval.

**AYES:** Martinez, Robbins, Rodriguez, Farias, Marshall, Sherrill, McAden, Stribling, Gray

**NAYS:** None

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.